

07/21/2008 10:16 5166931200

MAVERICK PROCESS

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U.S. DISTRICT COURT OF THE STATE OF N.Y.
COUNTY OF SOUTHERN DISTRICTPETER F. GATIO ARCHITECTURE, LLC D/B/A PETER F. GATIO AND
ASSOCIATES,- against -
SIMONE DEVELOPMENT CORP., ET AL

Maverick Process 516-693-1100

STATE OF NEW YORK: COUNTY OF NASSAU

SS:

AFFIDAVIT OF SERVICE

THE UNDERSIGNED DEPONENT BEING DULY SWEORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION
AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 7/14/2008 at 2:14 PM at 841 BROADWAY 7TH FLOOR NY, NY 10003

deponent served the within SUMMONS IN A CIVIL ACTION & COMPLAINT AND EXHIBITS

upon

SLCE ARCHITECTS, LTD

 Said Documents Were Properly Endorsed with the
Index Number and Date of Filing thereon

witness/defendant/respondent (hereafter called the recipient) therein named.

A. Individual By Personally delivering to and leaving with said individual, and that he knew the person so served and described as recipient thereinB. Corp/ By delivering to and leaving with ENZO DEPOL and that he knew the person
Prtnship so served and authorized to accept service to an officer Director managing agent or general agent cashier AsstCashier
 Agent authorized by appointment or by law to receive service.C. Suitable By delivering thereto a true copy of each to a person of suitable age and discretion.
Age Person Said premises is recipient's actual place of business dwelling place usual place of abode within the stateD. Affixing By affixing a true copy of each to the door of said premises, which is recipient's actual place of business dwelling place
to Door, Etc. usual place of abode within the state. DepONENT was unable, with due diligence to find recipient or a person of suitable age
discretion, thereto, having called there

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DepONENT talked to who stated that recipient lived worked there.E. Mailing On DepONENT completed said service under the last two sections by mailing a copy of
W/B.C or the above named process by First Class Mail addressed to the witness/defendant/respondent to the above address of service which
is recipient's: last known residence last known place of business (with additional endorsement of Personal and Confidential
on face of envelope.) RPAPL 735 An additional mailing by Certified Mail was made to the respondent at the premise sought to be recovered.F. DRL
Sec232

The required notice was legibly printed on the face of the summons. I identified the defendant by photograph annexed hereto

G. SEX SKIN COLOR HAIR COLOR AGE (approx.) HEIGHT (approx.) WEIGHT (approx.)
Description M WHITE WHITE 70 6'1" 170
 OTHER

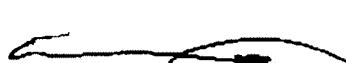
Sec.8001Fee A fee of \$0.00, pursuant to CPLR Section 8001, was tendered to the witness.

Military I asked the person spoken to whether the defendant/respondent was in active military service of the United States or of the
State of New York in any capacity whatever and received a negative reply. Defendant/Respondent were ordinary civilian
clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and
observations above narrated. Upon information and belief I aver that the defendant/respondent is not in the military service of
New York State or of the United States as the term is defined in either the State or in the Federal statutes.

Sworn Before me this day 18 of

JULY

2008

DONNA L. O'DRISCOLL
NOTARY PUBLIC, State of New York
No. 010D6126123
Qualified in Nassau County
Commission Expires on 4/25/2009

DAVID A SMITH #0912050